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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

CAIRO INVESTMENTS, LLC

Debtor.

Case No. 11-32011-DM

Chapter 7 Case, converted from Chapter 11
on July 28, 2011

**STIPULATION FOR RELIEF FROM
THE AUTOMATIC STAY**

Hearing:

Date: August 11, 2011
Time: 9:30 a.m.
Cttrm: 235 Pine Street, 19th Floor
San Francisco, CA 94104

It is hereby stipulated by and between DIVP Hospitality Vallejo, LLC, holder of a first deed of trust and secured creditor herein ("DIVP") and the Chapter 7 Trustee Barry Milgrom ("Trustee") for the bankruptcy estate of Cairo Investments, LLC, Debtor ("Debtor") for relief from the automatic stay as set forth herein.

A. On May 24, 2011, Debtor filed a Chapter 11 petition for relief, which was converted to Chapter 11 by Order entered July 28, 2011 [Docket No. 24]. Debtor's Schedules indicate that it owns property located at 300 Fairgrounds Drive, Vallejo, California 94590, which is operated as a motel (the "Property").

1 B. On July 22, 2011, DIVP filed a Motion for Relief from the Automatic Stay [Docket
2 No. 17] ("Stay Motion"), which is scheduled for hearing on August 11, 2011.

3 C. DIVP is the holder of the first deed of trust secured by the Property. The Trustee
4 has determined that there ^{appears to be} is no equity in the Property and hereby stipulates to immediate relief
5 from the automatic stay.

6 **IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:**

- 7 1. DIVP shall have immediate relief from stay as to the Debtor and the bankruptcy estate
8 to take any and all enforcement action necessary to enforce its Note and Deed of Trust,
9 including, but not limited to, taking immediate possession of the Property and
10 foreclosing on its Note and Deed of Trust;
- 11 2. It is further stipulated that the Trustee waives the the provisions of Federal Rules of
12 Bankruptcy Procedure 4001 (a) (3) and that this Order is not stayed for fourteen (14)
13 day after entry; and
- 14 3. Finally, it is stipulated that DIVP shall have immediate relief from stay as to the Debtor
15 and the bankruptcy estate, such that it can pursue any and all rights in the pending
16 Superior Court of California, County of Solano case entitled "*Bank of the West v.*
17 *Hanif Shaikh & Nasir Sheikh Partnership, et al., Case No. FCS037212*".

18 **IT IS SO STIPULATED.**

19 DATED: July 29, 2011

GOE & FORSYTHE, LLP

21 By: /s/Robert P. Goe

22 Robert P. Goe
23 Attorneys for Secured Creditor,
24 DIVP Hospitality Vallejo, LLC

25 DATED: ^{August 3,} ~~July 29,~~ 2011

BARRY MILGROM
Chapter 7 Trustee

26 By: 
27 Barry Milgrom, Trustee
28

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 18101 Von Karman Avenue, Suite 510, Irvine, CA 92612.

A true and correct copy of the foregoing document described as **STIPULATION FOR RELIEF FROM THE AUTOMATIC STAY** will be served or was served (a) on the judge in chambers, and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

– Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On August 5, 2011, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

- Julie M. Glosson julie.m.glosson@usdoj.gov
- Robert P. Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com
- Barry Milgrom barrymilgrom@gmail.com, C114@ecfbis.com
- Office of the U.S. Trustee / SF USTPRegion17.SF.ECF@usdoj.gov, ltroxas@hotmail.com
- Dennis Yan DENNISY@YAHOO.COM, dy@yanlaw.com

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served): On August 5, 2011, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

<u>Debtor</u>	<u>Schedule E Creditor</u>	<u>Schedule E Creditor</u>
Hanif Shaikh, President	Employment Development	Internal Revenue Service
CAIRO INVESTMENTS,	Department	Centralized Insolvency
LLC	State Of California	Operations
2026 Lombard St.	PO Box 826218	PO Box 7346
San Francisco, CA 94123	Sacramento CA 94230-6218	Philadelphia PA 19101-7346
<u>Schedule E Creditor</u>	<u>Schedule F Creditor</u>	<u>Schedule F Creditor</u>
State Board of Equalization	Sheppard, Uziel, Sussman &	Robert J. Bockelman
Account & Analysis & Control	Rosen	1169 Market St., Ste 003
Section	100 Montgomery St., Ste 2100	San Francisco, CA 94103
P.O. Box 942879	San Francisco, CA 94104	
Sacramento, CA 94279-0029		
<u>2nd TD Holder on Property</u>	<u>Judge Montali</u>	
Colson Services Corp	Honorable Dennis Montali	
PO Box 1889	U. S. Bankruptcy Court	
Bowling Green Station	PO Box 7341	
New York, NY 10274	San Francisco, CA 94120-	

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL
(indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on August 5, 2011, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

NONE

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

August 5, 2011

Kerry A. Murphy

/s/Kerry A. Murphy

Date

Type Name

Signature